

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



January 14, 2003

Agenda ID #1645

TO: PARTIES OF RECORD IN APPLICATION 01-01-049 ET AL.

This is the draft decision of Administrative Law Judge (ALJ) Barnett. It will not appear on the Commission's agenda for at least 30 days after the date it is mailed. The Commission may act then, or it may postpone action until later.

When the Commission acts on the draft decision, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare its own decision. Only when the Commission acts does the decision become binding on the parties.

Parties to the proceeding may file comments on the draft decision as provided in Article 19 of the Commission's "Rules of Practice and Procedure." These rules are accessible on the Commission's website at <http://www.cpuc.ca.gov>. Pursuant to Rule 77.3 opening comments shall not exceed 15 pages. Finally, comments must be served separately on the ALJ and the assigned Commissioner, and for that purpose I suggest hand delivery, overnight mail, or other expeditious method of service.

/s/ CAROL BROWN
Carol Brown, Interim Chief
Administrative Law Judge

CAB:sid

Attachment

Decision **DRAFT DECISION OF ALJ BARNETT** (Mailed 1/14/2003)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**Application of Pacific Gas and Electric Company
to Modify Departing Customer Procedures.Application 01-01-049
(Filed January 30, 2001)Application of San Diego Gas & Electric
Company (U 902-E) Proposing Lump-Sum
Payment and Periodic Payment Options for
Departing Load Customers.Application 01-11-003
(Filed November 1, 2001)Application of Southern California Edison
Company (U 338-E) Proposing Lump-Sum
Payment and Periodic Payment Options for
Departing Load Customers.Application 01-12-046
(Filed December 31, 2001)**ORDER DISMISSING APPLICATIONS**

Pursuant to Ordering Paragraph 10 of Decision (D.) 97-06-060, Pacific Gas and Electric Company (PG&E), San Diego Gas & Electric Company (SDG&E), and Southern California Edison Company (Edison) filed their applications for approval of post-freeze periodic and lump sum payment options for departing load customers. A departing load customer is a retail electric customer which, outside of changes otherwise occurring in the ordinary course of its business: (1) discontinues or reduces its purchases of electricity delivery services from its serving utility, (2) purchases or consumes electricity delivered by sources other than its serving utility to replace such purchases; and (3) remains physically located at the same location or within its serving utility service area.

Departing load customers are required to pay applicable non-bypassable charges on a monthly basis. There are presently four non-bypassable charges: competition transition charge, repayment of the rate reduction bond, nuclear decommissioning, and public purpose programs. D.97-06-060 only requires the filing of lump sum and periodic payment options for departing load customers' transition costs (Section 8.7.4 and Ordering Paragraph 10, D.97-06-060).

The issues presented by these three applications are being heard in our Rulemaking Docket R.02-01-011. To avoid a duplication of effort and eliminate the possibility of confusion, it is appropriate to dismiss these three applications.

Comments on Draft Decision

The draft decision of the ALJ in this matter was mailed to the parties in accordance with Pub. Util. Code § 311(g)(1) and Rule 77.7 of the Rules of Practice and Procedure. Comments were filed on _____, and reply comments were filed on _____.

Assignment of Proceeding

Michael Peevey is the Assigned Commissioner and Robert Barnett is the assigned Administrative Law Judge in this proceeding.

IT IS ORDERED that Application (A.) 01-01-049, A.01-11-003, and A.01-12-046 are dismissed.

This order is effective today.

Dated _____, at San Francisco, California.